

### **REMARKS**

Upon entry of the instant amendment, claims 1-9 are pending. A Request for Continued Examination and an extension of time is requested herewith. The Commissioner is hereby authorized to charge any necessary fees to Deposit Account 50-1214. Claims 1, 4 and 8 have been amended to more particularly point out the applicant's invention. The Applicant notes with appreciation the Examiner's acceptance of the drawings. It is respectfully submitted that upon entry of the instant amendment, the application is in condition for allowance

### **CLAIM OBJECTIONS**

Claim 4 has been amended to overcome the objection set forth in the Official Action. Thus, the Examiner is respectfully requested to reconsider and withdraw this objection.

### **CLAIM REJECTIONS – 35 U.S.C. § 103**

Claims 1-9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al, U.S. Patent No. 6,697,944 ("the Jones et al patent") in view of Wiser al , et al., U.S. Patent No. 6,868,403 ("the Wiser et al et al patent"). It is respectfully submitted that the claims as amended recite a specific hardware configuration that provides a secure architecture for protecting decrypted digital content from unauthorized distribution without the need for relatively complicated software, even when the relationship between the computing platform and the playback device is a trusted relationship. More particularly, the system recited in the claims at issue makes it impossible under any circumstances for a playback device to make unauthorized distributions of decrypted digital content.

Neither the Jones et al patent nor the Wise et al patent teaches a secure hardware configuration as recited in the claims. In particular, playback device disclosed in the Jones et al patent includes a general purpose computer 20 which includes a processing unit 21, a system memory and a system bus 23. As set forth in the Jones et al patent , Col 12, lines 61-65 and Col.

5, lines 38-45, decrypted digital content, once a trusted relationship has been established, is accessible by the general purpose computing device within the playback device and is thus at risk for unauthorized distribution. As such, even though a trusted relationship has been established, the decrypted digital content is unprotected and therefore subject to copying and unauthorized distribution. Moreover, the Jones et al patent also teaches that when a high level of trust exists, decrypted digital content is passed to the playback device ("If the level of the trusted relationship is high, the digital content provider may transmit unencrypted digital content to the portable device..." Abstract). As such, it should be clear that the Jones et al patent teaches away from a secure hardware solution as in the claims at issue.

The device disclosed in the Wiser et al patent likewise does not disclose or suggest a hardware solution to protect unauthorized copying or redistribution of digital content as recited in the claims at issue. Rather, the device disclosed in the Wise et al patent relies on software. As such, it is relatively more complicated than system recited in the claims at issue and takes time to establish a trusted relationship between the digital content provider and the playback device. For all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw the rejection of Claims 1-9.

Respectfully submitted,

KATTEN MUCHIN ROSENMAN LLP

By:   
John S. Panagiotas

Registration No.: 31,051

KATTEN MUCHIN ROSENMAN LLP  
2900 K Street, N.W.  
Suite 200  
Washington, D.C. 20007-5118  
Tel: (312) 902-5200  
Fax: (312) 902-1061